

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**CYNTHIA JENKINS, on behalf of
herself and all others similarly
situated, ADA HOWARD, and
SANDRA LOGUE,**

Plaintiffs,

v.

**GENERAL COLLECTION, CO., MARK
D. STELK, and RICHARD E. GEE,**

Defendants.

CASE NO. 8:06CV743

**ORDER
OF DISMISSAL**

This matter is before the Court on the parties' Joint Stipulation for Dismissal (Filing No. 194). The stipulation complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and the Court finds that it should be approved. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal (Filing No. 194) is approved, and the relief requested therein is granted;
2. The Complaint and all claims in this action are dismissed with prejudice;
3. The Court finds that there is sufficient basis for the Plaintiffs to apply for an award of reasonable attorneys' fees and costs under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k(a)(3) and the Nebraska Consumer Protection Act, Neb. Rev. Stat. § 59-1601 *et seq.* Accordingly, the Plaintiffs shall file their motion for attorneys' fees on or before August, 3, 2009¹;

¹ Because the Court agrees that there is a sufficient basis for the Plaintiffs to apply for an award of attorneys' fees, this Order is the Final Judgment in this case, and the Plaintiffs do not have the option to resume this litigation in the event that they are dissatisfied with the *amount* of attorneys' fees ultimately awarded by the Court. (See Filing No. 194 at ¶ 3.)

4. The Defendants shall file their response to the Plaintiffs' motion, if any, on
or before August 26, 2009.

DATED this 7th day of July, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge